

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EILEEN POLIZZI, FUND MANAGER
of the TEAMSTERS LOCAL 404
HEALTH SERVICES AND INSURANCE PLAN,
Plaintiff,

v.

N&B EXPRESS, INC. and JAMES CAPELLI,
Defendants,

and

BANK OF WESTERN MASSACHUSETTS,
Trustee.

DISTRICT COURT
CIVIL ACTION NO.
05 - 30183 - MAP

Notice to Defendants

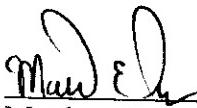
Notice is hereby given that the Plaintiff in the above-entitled action will apply to the above court for the approval of an attachment on trustee process of the goods, effects or credits of the defendants, entrusted to and in the possession of the above Trustee, to the extent of \$485,000.00. Enclosed with this notice are the following documents:

1. Verified Complaint And Application For A Temporary Restraining Order;
2. Affidavit of Eileen Polizzi;
3. Affidavit of Ronald Easton;
4. Motion For Approval Of Attachment On Trustee Process for Defendant N & B Express, Inc.; and
5. Motion For Approval of Attachment On Trustee Process for Defendant James Capelli

You have the right to appear and be heard in opposition to the requested attachment. By appearing to be heard on the motion for approval of our attachment on trustee process, you will

not thereby submit yourself to the jurisdiction of the Court nor otherwise waive service of the summons and complaint in the manner provided by law.

Respectfully Submitted,
**EILEEN POLIZZI, Fund
Manager for the Teamsters Local 404
Health Services and Insurance Plan**
By her attorneys,

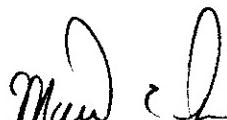


Matthew E. Dwyer
BBO # 139840
Kathleen A. Pennini
BBO # 654573
Dwyer, Duddy and Facklam
Attorneys at Law, P.C.
Two Center Plaza, Suite 430
Boston, MA 02108
617-723-9777

The undersigned does hereby certify that a copy of the foregoing "Notice to Defendant" together with the items listed therein, was served on the defendants, N & B Express, Inc. and James Capelli by first class mail, postage prepaid and by hand delivery thereof to the defendants at the following addresses:

N&B Express, Inc.
20 Industrial Drive West
South Deerfield, Massachusetts 01373

James Capelli
7 January Hills Road
Shutesbury, MA


Matthew E. Dwyer